

U.S. Application No. 10/578,851 -- 5

REMARKS

Claims 11 – 20 remain in this application. Claim 11 has been amended. Reconsideration of this application in view of the amendments noted is respectfully requested.

Claim 11 has been amended to specify that the at least one hood has an exhaust-air connection, and that the at least one hood does not include a sensor, a damper, a water bath, a heat exchanger, and a separator for grease. Claim 11 has also been amended to specify that the arrangement includes an exhaust-air duct for each hood, the exhaust-air duct having a first end connected to the hood and a second end. Claim 11 has also been amended to specify that the cell has a first connection connected to the second end of the exhaust-air duct and an exhaust connection connected to the exhaust-air duct of the ventilation system that does not lead exhaust-air back to the kitchen appliance. Claim 11 has also been amended to specify that the separator is in the cell between the first connection and the exhaust connection. Support for these amendments can be found in paragraphs [0016] and [0017] of the application publication (U.S. Patent Application Pub. No. 2007/0084459) and FIG. 1 of the drawings.

In the Office Action, claims 11 – 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Molitor (U.S. Patent No. 4,407,266) in view of Hepner (U.S. Patent No. 4,235,220) and Fritz et al. (U.S. Patent No. 4,484,563, hereinafter "Fritz"). Applicant respectfully traverses this rejection.

With respect to independent claim 11, applicant maintains all of its previous arguments with respect to the patentability of the claims over any possible combination of Molitor and Hepner.

Further, Molitor and Fritz disclose complex hoods that include components such as a sensor, a damper, a water bath, and a heat exchanger. In contrast, in the presently claimed invention, the hood itself does not include a sensor, a damper, a water bath, a heat exchanger, and a separator for grease.

Furthermore, the presently claimed limitation that the exhaust-air duct does not lead exhaust-air back to the (vicinity of the) kitchen appliance distinguishes the present invention

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from Hepner. In Hepner, exhaust air is fed back to the kitchen. Therefore, in Hepner the separator is subjected to high temperatures, and hence vaporized grease passes through the separator. In contrast, in the presently claimed invention it is essential to be able to cool the separator or alter the air flow in order to efficiently condense the grease.

Moreover, Molitor and Fritz both disclose the use of additional non-exhaust air that is led into the cell and thus for mixing intake air with collected exhaust air to alter the temperature and/or flow of the exhaust air. However, it is not possible for one of ordinary skill in the art to combine Molitor or Fritz with Hepner because the system disclosed in Hepner is not capable of using extra air, which would inevitably disturb the ventilation in a kitchen. Further, the charcoal filter of Hepner would be subjected to extra flow. This extra flow would require this filter to be a much larger size, which would be an awkward modification. Additionally, one of ordinary skill in the art would not use fresh air intake in Hepner for mixing with exhaust air and leading the mixture back to a kitchen. Hepner discloses an exhaust that flows only to the outside for exhausting by-products from heating.

Therefore, one of ordinary skill in the art would not have combined Hepner with Molitor and Fritz to obtain the presently claimed invention.

For all of these reasons, independent claim 11 is patentable over any possible combination of Molitor, Hepner, and Fritz. Claims 12 – 20, depending from claim 11, are also patentable over Molitor, Hepner, and Fritz. Accordingly, applicant respectfully requests that the Section 103(a) rejection of claims 11 – 20 as being unpatentable over Molitor in view of Hepner and Fritz be withdrawn.

A Request for Continued Examination (RCE) and a PTO-2038 authorizing payment in the amount of \$405.00 to cover the fee under 37 CFR 1.17(e) are included with this response.

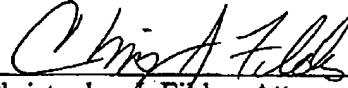
This amendment and request for reconsideration is felt to be fully responsive to the comments and suggestions of the examiner and to place this application in condition for allowance. Favorable action is requested.

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